

**In the United States District Court
For the Southern District of Georgia
Waycross Division**

KASIM GANDY,

Plaintiff,

v.

HOMER BRYSON; TOM GRAMIAK;
EDWINA JOHNSON; JOHN BOYETT;
NATHAN BROOKS; WILLIAM STEEDLY;
AUSTIN ADAMS; KIMBERLY LOWE; and
UNIT MANAGER COX,

Defendants.

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CIVIL ACTION NO.: 5:16-cv-44

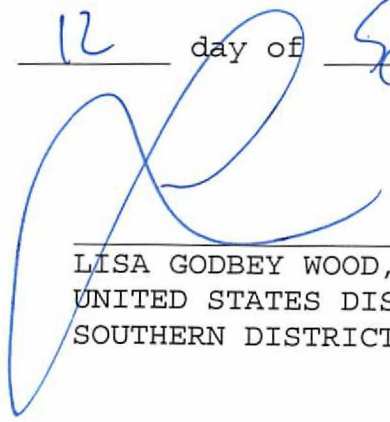
ORDER

After an independent and *de novo* review of the record, the undersigned concurs with the Magistrate Judge's August 15, 2016, Report and Recommendation, dkt. no. 10, to which Objections have been filed. Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court and **OVERRULES** Plaintiff's Objections, dkt. no. 12.

The Court **DISMISSES** Plaintiff's monetary damages claims against Defendants in their official capacities, all claims against Defendant Bryson, all punitive and compensatory damage claims, and Plaintiff's Eighth Amendment claims. Additionally, the Court **DENIES** Plaintiff's Motion for Preliminary Injunction

and request for declaratory judgment. Dkt. No. 6. However, Plaintiff states plausible Fourteenth Amendment due process claims against Defendants Tom Gramiak, Edwina Johnson, John Boyett, Nathan Brooks, William Steedly, Austin Adams, Kimberly Lowe, and Unit Manager Cox as well as a plausible First Amendment claim against Defendant Adams. Those claims shall proceed.

SO ORDERED, this 12 day of September, 2016.



LISA GODBEY WOOD, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA